

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

---

CORNEL WEST AND MELINA	:	
ABDULLAH, <i>et al.</i> ,	:	
Plaintiffs,	:	CIVIL ACTION
	:	No. 24-1349
v.	:	
PENNSYLVANIA DEPARTMENT	:	
OF STATE, <i>et al.</i> ,	:	
Defendants.	:	
	:	

---

**DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12, Defendants Pennsylvania Department of State and Al Schmidt, in his official capacity (collectively the “Defendants”), by counsel, hereby move to dismiss the Amended Complaint (ECF No. 60) for the reasons contained in their memorandum of law.

Date: February 21, 2025

Respectfully submitted,

JENNIFER C. SELBER  
GENERAL COUNSEL

By: /s/ Stephen R. Kovatis  
STEPHEN R. KOVATIS (ID No. 209495)\*  
Deputy General Counsel  
JACOB BOYER (ID No. 324396)  
Deputy General Counsel

GOVERNOR’S OFFICE OF GENERAL COUNSEL  
30 North Third Street, Suite 200  
Harrisburg, PA 17101  
Phone: 717-602-0943  
Email: skovatis@pa.gov

\*Admitted *pro hac vice*

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I, Stephen R. Kovatis, hereby certify that I have caused all parties to be served on this day with the foregoing Motion via the Court's ECF system.

Date: February 21, 2025

By: /s/ Stephen R. Kovatis  
STEPHEN R. KOVATIS